

Notice of Allowability

Application No.

10/567,332

Applicant(s)

OLEANDRI ET AL.

Examiner

Stephen F. Gerrity

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3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the new application filed 6 February 2006.
2. ☒ The allowed claim(s) is/are 1-8, 10-15 and 17-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>2/6/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Timothy Klima (applicant's representative) on 30 March 2007.
3. The application would be amended as follows:

In the specification:

Page 2, delete lines 17-21 and replace with --to the present invention.--.

In the claims:

The following listing of the claims replaces all previous listings of the claims.

1. A method of wrapping products of substantially parallelepiped appearance with corner edges presenting a beveled or rounded profile, ~~characterized in that it comprises~~ comprising the steps of:

conveying a succession of said wrapped products, each previously enveloped in a wrapper of substantially parallelepiped box-like appearance, along a predetermined path;

subjecting each of said wrapped ~~single~~ products, in the course of its progress along the path, to a finishing operation that ~~consists in~~ comprises deforming at least one

parts of the wrapper in such a way as will cause the selfsame wrapper to adhere closely to the surface of the relative product, the parts of the wrapper associated with two opposing end portions of the enveloped product being caused, in the course of the finishing step, to assume the same profile as the corner edges of the product.

2. A method as in claim 1, comprising the further steps of assembling the wrapped products into a group and enveloping the group in a leaf of wrapping material to form a stick pack aligned on a predominating longitudinal axis.

3. A method as in claim 1, wherein the conveying step involves a step of restraining the wrapped product ~~enveloped in the relative wrapper through the agency of~~ by a respective gripping means applied to two first faces of the wrapped product.

4. A method as in claim 4 ~~3~~, wherein the finishing step involves a step of engaging and compressing at least one part of each wrapped product ~~enveloped by the respective wrapper through the agency of~~ by a flexibly resilient gripping and deforming means.

5. A method as in claim 4, wherein the engaging and compressing action of the gripping and deforming means is produced by a ~~is brought about through the agency of~~ spring means.

6. A method as in claim 4, wherein the engaging and compressing action of the finishing step is applied by the gripping and deforming means in a direction transverse to the action of the gripping means, at least to two opposed portions of each of the wrapped products ~~enveloped in the respective wrapper.~~

7. A method as in claim 6, wherein the finishing step is effected by the gripping and deforming means during the course of the restraining step effected by the gripping means.

8. A method as in claim 7, wherein the action of the gripping and deforming means is applied at least to the portions of each wrapped product destined, when assembled into a group having a plurality of longitudinal faces, to coincide with the areas along which the longitudinal faces of the stick pack are joined one to another.

9. (Canceled)

10. A device for finishing wrapped wrapping products of substantially parallelepiped appearance with corner edges presenting a beveled or rounded profile,
~~characterized in that it comprises~~ comprising:

a conveyor, set in motion along a predetermined path and serving to advance a succession of said wrapped products, each previously enveloped in a respective wrapper of substantially parallelepiped box-like shape;

a finishing station positioned along the path and equipped with gripping and deforming means such as will engage and compress at least a part of each wrapped product in such a way as will cause the wrapper to adhere closely at least to the part of the product subjected to the gripping and deforming action; and

wherein the gripping and deforming means comprise at least one second gripper equipped with at least two jaws carrying respectively flexibly resilient gripping and deforming pads positionable respectively against two opposing end portions of each

wrapped product for deforming the wrapper to assume the same profile as the corner edges of the product.

11. A device as in claim 10, wherein the conveyor comprises a plurality of gripping means, each serving to restrain a respective wrapped product.

12. A device as in claim ~~10~~ 11, wherein the action of the gripping and deforming means is applied to the wrapped product in a direction transverse to the action of the gripping means.

13. A device as in claim 10, comprising spring means acting on the gripping and deforming means in such a way as to shift the selfsame gripping and deforming means when applying the engaging and compressing action.

14. A device as in claim 11, wherein the conveyor is a rotary conveyor set in rotation around a respective axis, and the gripping means comprise a plurality of first grippers mounted radially to and equispaced angularly around the periphery of the rotary conveyor.

15. A device as in claim 14, wherein the first grippers are furnished with resilient pads and designed to restrain the respective wrapped product by engaging two first faces of the wrapped product.

16. (Canceled)

17. A device as in claim ~~16~~ 13, wherein the second gripper comprises respective transmission means, operated by respective drive means, by which the respective jaws are moved between a limit position distanced from the wrapped product, opposing the engaging and compressing action of the spring means, and a

limit position of engagement with the wrapped product, subject to the action of the spring means.

18. A device as in claim 17, wherein the drive means comprise cam means acting on respective cam follower means mounted to the drive means.

19. A stick pack comprising a group of wrapped products wrapped by the method of claim 4 2, enveloped in a leaf of wrapping material to form a stick aligned on a predominating longitudinal axis and having a plurality of longitudinal side faces, wherein the areas along which the longitudinal side faces are joined one to another adhere closely to the portions of the wrapped products subjected to the action of the ~~gripping and deforming means~~ finishing operation so that the areas along which the longitudinal side faces are joined one to another have substantially the same profile as the corner edges of the wrapped products.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance..

The prior art while disclosing devices which grip the products does not teach a method where a previously wrapped product is gripped in a finishing operation and while doing such the wrapper is deformed to take on the profile of the underlying product. The same is true with regard to the prior art as concerns the apparatus wherein the gripping and deforming means includes a pair of jaws including flexibly resilient gripping and deforming pads which structure is used to deform a wrapper to take on the profile of the underlying product. Finally, the prior art does not teach the

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product formed by the method of claim 2 which has the structural features of the areas where the longitudinal faces meet being of the substantially same profile as the previously wrapped products which have each been deformed and a plurality thereof stacked as per claim 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

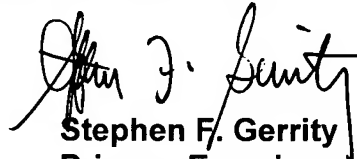
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen F. Gerrity whose telephone number is 571-272-4460. The examiner can normally be reached on Monday - Friday from 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Stephen F. Gerrity
Primary Examiner
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30 March 2007